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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,434	12/13/2001	Bradley J. Howard	97-0008.01	7606
7590	01/21/2004		EXAMINER	NGUYEN, KHIEM D
Richard D. Egan O'KEEFE, EGAN & PETERMAN Building C, Suite 200 1101 Capital of Texas Highway South Austin, TX 78746			ART UNIT	PAPER NUMBER
			2823	
DATE MAILED: 01/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/015,434	HOWARD, BRADLEY J.
	Examiner	Art Unit
	Khiem D Nguyen	2823

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 03 November 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 6-10,19-24,34-37 and 49-54 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 6-10,19-24,34-37 and 49-54 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 13 December 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 031402.

4) Interview Summary (PTO-413) Paper No(s). _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of claims 6-10, 19-24, 34-37, and 49-54 in Paper No. 11/03/2003 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 6-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Naik et al. (U.S. Pub. 2003/0062627).

In re claim 6, Naik discloses a semiconductor device formed using a photo-definable layer (**FIG. 4E: 408**) in a positive mask scheme (page 3, paragraphs [0023]-[0024]), comprising (pages 5-6, paragraphs [0053]-[0059] and **FIGS. 1A-4J**): a substrate (**FIG. 4E: 400**); and at least one feature formed on the substrate by converting selected portion of a photo-definable layer to an insulative material through exposure to electromagnetic radiation (**FIG. 4E: 418**) (page 5, paragraph [0055]) in a positive mask scheme and by using non-exposed portions (**FIG. 4E: 424**) (page 5, paragraph [0055]) of the photo-definable layer as a mask to form at least one feature (**FIGS. 4G-J: 426, 430**) (pages 5-6, paragraph [0058]).

In re claim 7, Naik discloses the semiconductor device of claim 6, further comprising an insulative layer formed on the substrate from the non-exposed portion (**FIG. 4E: 424**) of the photo-definable layer (**FIG. 4E: 408**) that were subsequently converted to an insulative layer through exposure to electro-magnetic radiation (**FIG. 4E: 418**) (page 5, paragraphs [0053]-[0057]).

In re claim 8, Naik discloses wherein the photo-definable layer comprises an organosilicon resist (page 5, paragraph [0053]).

In re claim 9, Naik discloses wherein the photo-definable layer comprises plasma polymerized methylsilane (PPMS) (page 5, paragraph [0053]).

In re claim 10, Naik discloses wherein the feature is part of a memory cell array (pages 5-6, paragraph [0058]).

2. Claims 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Naik et al. (U.S. Pub. 2003/0062627).

In re claim 19, Naik discloses a patterned insulative structure within a semiconductor device formed using a photo-definable layer (**FIG. 4E: 408**) in a positive mask scheme (page 3, paragraphs [0023]-[0024]), comprising (pages 5-6, paragraphs [0053]-[0059] and **FIGS. 1A-4J**): a substrate (**FIG. 4E: 400**); a patterned insulative layer formed on the substrate by converting selected portion of a photo-definable layer to an insulative material through exposure to electro-magnetic radiation (**FIG. 4E: 418**) (page 5, paragraph [0055]) in a positive mask scheme and by using non-exposed portions (**FIG. 4E: 424**) (page 5, paragraph [0055]) of the photo-definable layer as a mask to form the patterned insulative layer.

In re claim 20, Naik discloses wherein the insulative layer comprises an oxide layer (page 5, paragraph [0053]).

In re claim 21, Naik discloses wherein the photo-definable layer comprises an organosilicon resist (page 5, paragraph [0053]).

In re claim 22, Naik discloses wherein the photo-definable layer comprises plasma polymerized methylsilane (PPMS) (page 5, paragraph [0053]).

In re claim 23, Naik discloses wherein the insulative layer comprises a plurality of trench structures (**FIGS. 4G-J: 426, 430**) (pages 5-6, paragraph [0058]) within a memory cell array (pages 5-6, paragraph [0058]).

In re claim 24, Naik discloses wherein the patterned insulative layer comprises non-exposed portions (**FIG. 4E: 424**) of the photo-definable layer (**FIG. 4E: 408**) that were converted into additional insulative material after formation of the patterned insulative layer.

3. Claims 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Naik et al. (U.S. Pub. 2003/0062627).

In re claim 34, Naik discloses a conductive interconnect structure within a semiconductor device formed using a photo-definable layer, comprising (pages 5-6, paragraphs [0053]-[0059] and **FIGS. 1A-4J**): a substrate (**FIG. 3H: 300**); a first conductive layer (**FIG. 3H: 302**) over said substrate; an insulative layer (**FIG. 3H: 316**) over the conductive layer; and a second conductive layer (**FIG. 3I: 324**) formed within a desired portion of the insulative layer to create a conductive interconnect structure (**FIGS. 3A-I: 310, 320**) connected to the first conductive layer, the second conductive

layer being formed by converting selected portions of a photo-definable layer to an insulative material through exposure to electro-magnetic radiation (**FIG. 4E: 418**) (page 5, paragraph [0055]) in a positive mask scheme, by using non-exposed portions (**FIG. 4E: 424**) (page 5, paragraph [0055]) of said photo-definable layer as a mask to form a pattern within the insulative layer, and by using non-exposed portions of said photo-definable layer as a sacrificial mask in etching the second conductive layer (pages 4-5, paragraphs [0045]-[0051] and **FIGS. 3A-I**).

In re claim 35, Naik discloses wherein the photo-definable layer comprises an organosilicon resist (page 5, paragraph [0053]).

In re claim 36, Naik discloses wherein the photo-definable layer comprises plasma polymerized methylsilane (PPMS) (page 5, paragraph [0053]).

In re claim 37, Naik discloses wherein the substrate includes a plurality of transistor gage structures for a memory cell array (pages 5-6, paragraph [0058]).

4. Claims 49-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Naik et al. (U.S. Pub. 2003/0062627).

In re claim 49, Naik discloses a pattern insulative structure within a semiconductor device using a photo-definable layer (**FIG. 4E: 408**) as a mask layer (page 3, paragraphs [0023]-[0024]), comprising (pages 5-6, paragraphs [0053]-[0059] and **FIGS. 1A-4J**): a substrate (**FIG. 4E: 400**); and an insulative layer on the substrate formed by covering a photo-definable layer within a patterned organic photoresist, by covering unmasked portions of a photo-definable layer to an insulative material through exposure to electro-magnetic radiation (**FIG. 4E: 418**) (page 5, paragraph [0055]) and

using non-exposed portions (**FIG. 4E: 424**) (page 5, paragraph [0055]) of the photo-definable layer and organic photoresist as a mask to form a pattern within the insulative layer (**FIGS. 4G-J: 426, 430**) (pages 5-6, paragraph [0058]).

In re claim 50, Naik discloses wherein the photo-definable layer comprises an organosilicon resist (page 5, paragraph [0053]).

In re claim 51, Naik discloses wherein the photo-definable layer comprises plasma polymerized methylsilane (PPMS) (page 5, paragraph [0053]).

In re claim 52, Naik discloses wherein the insulative layer comprises an oxide layer (page 5, paragraph [0053]).

In re claim 53, Naik discloses wherein the insulative layer comprises a plurality of trench structures (**FIGS. 4G-J: 426, 430**) (pages 5-6, paragraph [0058]) within a memory cell array (pages 5-6, paragraph [0058]).

In re claim 54, Naik discloses wherein the insulative layer comprises non-exposed portions (**FIG. 4E: 424**) of the photo-definable layer (**FIG. 4E: 408**) subsequently converted into additional insulative material.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khiem D Nguyen whose telephone number is (703) 306-0210. The examiner can normally be reached on Monday-Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on (703) 306-2794. The fax phone numbers

Art Unit: 2823

for the organization where this application or proceeding is assigned are (703) 305-3432

for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

K.N.

January 16, 2004



W. David Coleman
Primary Examiner
Tech Center 2800